

Report laid on 20/6/18
by Hon. Okego
COUNTY GOVERNMENT OF NAIROBI CITY



Hon.
PCA (CSP)
25/06/2018

**NAIROBI CITY COUNTY ASSEMBLY
SECOND ASSEMBLY-SECOND SESSION**

**REPORT OF THE SECTORAL
COMMITTEE ON CULTURE AND COMMUNITY SERVICES ON CONSIDERATION
OF THE NAIROBI CITY COUNTY SPORTS MANAGEMENT (AMMENDMENT) BILL,
2018**

Approved
[Signature]
20/06/2018
Hon. Joyce Komeny

Clerk's Chambers
City Hall Buildings
NAIROBI

JUNE, 2018

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1.0 INTRODUCTION

The Sectoral Committee on Culture and Community Services is established under Standing Order No. 203 (1). Its mandate pursuant to Standing Order 203 (6) is to:-

- a) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
- b) study the programme and policy objectives of departments and the effectiveness of the implementation;
- c) study and review all county legislation referred to it;
- d) study, assess and analyse the relative success of the departments as measured by the results obtained as compared with its stated objectives;
- e) investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
- f) vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 196(Committee on Appointments): and make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.

1.1 MEMBERSHIP OF COMMITTEE

The Committee on Culture and Community Services comprises the following members:

1. Hon Mwangi Njihia, MCA
2. Hon Antony G. Nganga, MCA
3. Hon Millicent Anyango, MCA
4. Hon Patrick Karani, MCA
5. Hon Leah Supuko, MCA
6. Hon Nicholas Okumu, MCA

7. Hon Joseph Wambugu, MCA
8. Hon Benson Mwangi, MCA
9. Hon. Clarence Munga, MCA
10. Hon Anthony Karanja, MCA
11. Hon Annita Thumbi, MCA
12. Hon. Nancy Muthami, MCA
13. Hon. Emapet Kemunto, MCA
14. Hon. Mellab Atemah Lumalah, MCA
15. Hon. David Njilithia Mberia, MCA
16. Hon. Jared Okoth Okode, MCA
17. Hon. Kennedy Odhiambo Oyugi, MCA
18. Hon. Jairus Amukhoye Omayo, MCA
19. Hon John Kamau, MCA

Madam Speaker,

The Committee also exercises its oversight role on all matters related to sports activities and facilities.

In accordance with the Second Schedule of the Standing Orders, the Sectoral Committee is mandated to consider all matters relating to:-

“Cultural activities, public entertainment and public amenities, including, racing, liquor licensing, cinemas, video shows and hiring, libraries, museums and cultural activities and facilities and county parks, and recreation facilities; firefighting services and disaster management, control of pornography; ensuring and coordinating the participation of communities and locations in governance at the local level and assisting communities and locations to develop the administrative capacity for the effective exercise of the functions and powers and participation in governance at the local level.”

Madam Speaker,

The Nairobi City County Sports Management (Amendment) Bill, 2018 was read a First Time on, Thursday 19th April, 2018 and thereafter committed to the Sectoral Committee on Culture and Community Services for consideration pursuant to Standing Order 131.

Madam Speaker,

Pursuant to Article 196(b) of the Constitution of Kenya and Standing Order 131(3) which require public participation in the legislative and other business of the Assembly and its Committees, the Committee placed a notice in the local dailies on Wednesday 25th April, 2018 calling for any representations and amendments from the public on the Bill. The Committee did not receive any written memoranda from stakeholders; However the Members proposed its own recommendations to Clause 3.

The Committee held a total of three (3) meetings to consider the Bill.

Madam Speaker,

While examining the Bill, the Committee noted the following:

1. The Principal object of the Bill is to amend the Nairobi City County Sports Managements Act, 2017.

To provide for efficiency and to give continuity to the structure of sports management. The amendment will see to it that only persons well versed with sports shall run the docket and this will enhance accountability and transparency in the Sector. The enactment of this Bill shall not occasion additional expenditure of public funds.

2. **Part I** of the Bill provides for the preliminary matters with respect to the Bill. Clause 1 sets out the short title of the Bill and commencement date. Clause 2 provides for the definition and interpretation of terms as used in the Bill. Clause 3 outlines the objectives of the Bill.

Madam Speaker,

The Committee will propose amendments to the Bill in Clause 3. The amendments are aimed at ensuring that the Governor shall take into consideration gender balance in the composition of the Committee.

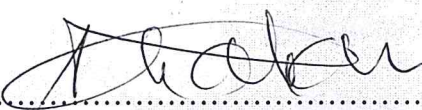
Madam Speaker,

The Committee thanks the Offices of the Speaker and the Clerk of the County Assembly for the support and services extended to Members of the Committee while considering the Bill. I am grateful to the Members of the Committee whose

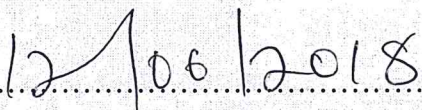
support and commitment enabled the Committee to accomplish this task. Special thanks to the County Executive for their views and the Secretariat for the technical support provided.

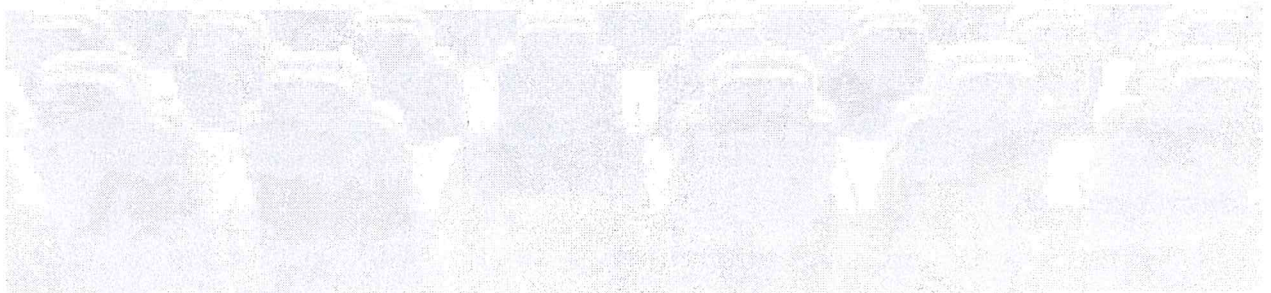
On behalf of the Committee, I now have the honor and pleasure to present this report of the Committee on the consideration of the Nairobi City County Sports Management (Amendment) Bill, 2018 for adoption.

Thank You.

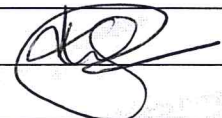
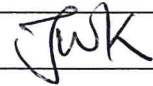
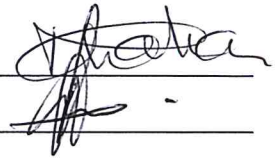
SIGNED 

ABRAHAM M. NJIHIA, MCA
(CHAIRMAN)

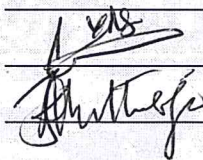
DATE 



1. **Hon Mwangi Njihia, MCA**
2. **Hon Antony G. Nganga, MCA**
3. Hon Millicent Anyango, MCA
4. Hon Patrick Karani, MCA
5. Hon Leah Supuko, MCA
6. Hon Nicholas Okumu, MCA
7. Hon Joseph Wambugu, MCA
8. Hon Benson Mwangi, MCA
9. Hon. Clarence Munga, MCA
10. Hon Anthony Karanja, MCA
11. Hon Annita Thumbi, MCA
12. Hon. Nancy Muthami, MCA
13. Hon. Emapet Kemunto, MCA
14. Hon. Mellab Atemah Lumalah, MCA
15. Hon. David Njilithia Mberia, MCA
16. Hon. Jared Okoth Okode, MCA
17. Hon. Kennedy Odhiambo Oyugi, MCA
18. Hon. Jairus Amukhoye Omayo, MCA
19. Hon John Kamau, MCA



K.G.M.



1.0 COMMITTEE CONSIDERATION OF THE NAIROBI CITY COUNTY SPORTS MANAGEMENT (AMENDMENT) BILL, 2018

- Clause 1** - agreed to
Clause 2 - agreed to
Clause 3 - proposed amendments

2.0 COMMITTEE STAGE AMMENDMENTS

NOTICE is given that the chairperson of the Sectoral Committee on Culture and Community Services, Hon. Abraham M. Njihia, MCA intends to move the following amendments to the Nairobi City County Sports Management (Amendment) Bill, 2018 at the Committee Stage—

CLAUSE 3

THAT, Clause 3 of the bill be amended by inserting a new paragraph immediately after paragraph (h) as follows:-

“(ha) in nominating the persons referred to in sub clause 2, the Governor shall take into consideration gender balance in the composition of the Committee.”

.....
**Chairperson,
Sectoral Committee on Culture and Community Services**

**MATRIX OF STAKEHOLDER COMMENTS AND FINAL COMMITTEE PROPOSED AMENDMENTS TO THE
NAIROBI CITY COUNTY SPORTS MANAGEMENT (AMENDMENT) BILL, 2018 AND JUSTIFICATION**

| CLAUSE OF THE BILL | COMMENTS AND PROPOSED AMMENDMENTS BY STAKEHOLDERS | COMMITTEE'S COMMENT ON PROPOSED AMENDMENTS BY STAKEHOLDERS | COMMITTEE'S OWN COMMENT | FINAL PROPOSED COMMITTEE AMENDMENT | JUSTIFICATION |
|--------------------|---|--|--|--|---|
| Clause 1 | No comment | NA | NA | NA | NA |
| Clause 2 | No comment | NA | NA | NA | NA |
| Clause 3 | No comment | NA | Committee “(ha) in nominating the persons referred to in sub clause 2, the Governor shall take into consideration gender balance in the composition of the Committee.” | Committee “(ha) in nominating the persons referred to in sub clause 2, the Governor shall take into consideration gender balance in the composition of the Committee.” | gender balance in the Composition of the Committee. |

PRESENT

1. Hon. Mwangi Njihia, MCA - Chairman
2. Hon. Anthony N. Gatune, MCA - Vice Chairman
3. Hon. Millicent Anyango, MCA
4. Hon. John Kamau, MCA
5. Hon. Patrick Karani, MCA
6. Hon. Nancy Muthami, MCA
7. Hon. Jairus Amukhoye Omayo, MCA
8. Hon. Leah Supuko, MCA
9. Hon. Anthony Karanja, MCA
10. Hon. Mellab Atemah Lumalah, MCA

ABSENT

1. Hon. Jared Okoth Okode, MCA
2. Hon. Emapet Kemunto, MCA
3. Hon. Joseph Wambugu, MCA
4. Hon. Benson Mwangi, MCA
5. Hon. Clarence Munga, MCA
6. Hon. Annita Thumbi, MCA
7. Hon. Kennedy Odhiambo Oyugi, MCA
8. Hon. Nicholas Okumu, MCA
9. Hon. David .N. Mberia, MCA

SECRETARIAT

– COUNTY ASSEMBLY

1. Ms. Jolinda Wangui

– Clerk Assistant

Agenda

1. Preliminaries (prayers & adoption of the Agenda),
2. Consideration of the Committee stage amendments to the Nairobi City County Sports Management (amendment) Bill, 2018
3. Confirmation of Minutes of the 39th – 40th sittings
4. Consideration of the Public Private Partnership between Marchais Ltd and Nairobi City Council (Defunct) on the Eastleigh Social Hall.
4. Any Other Business
5. Adjournment

MIN. 131/NCCA/CCS/29/MAY/ 2018: PRELIMINARIES

The Chairman called the meeting to order at 11.05 and opened with a word of prayer. The day's agenda was adopted on proposal by the Hon. Nancy Muthami and seconded by the Hon. John Kamau.

MIN.132/NCCA/CCS/29/MAY/2018: CONSIDERATION OF THE COMMITTEE STAGE AMENDMENTS TO THE NAIROBI CITY COUNTY SPORTS MANAGEMENT (AMENDMENT) BILL, 2018

The Chairman guided the Members through the Committee Stage amendments. Hon. Antony Gatune proposed, Hon. John Kamau seconded, and the same was confirmed to be the true record of the proceedings.

MIN.133/NCCA/CCS/29/MAY/2018: CONFIRMATION OF MINUTES OF THE 39TH – 40TH SITTINGS

The agenda was deferred to the next day.

MIN.133/NCCA/CCS/29/MAY/2018: CONSIDERATION OF THE PUBLIC PRIVATE PARTNERSHIP BETWEEN MARCHAIS LTD AND NAIROBI CITY COUNCIL (DEFUNCT) ON THE EASTLEIGH SOCIAL HALL.

The Committee resolved that the Members to go through the Hard copy of the document then the agenda be rescheduled again for discussion.

MIN.134/NCCA/CCS/29/MAY/2018: ADJOURNMENT AND DATE OF NEXT MEETING

There being no any other business of the day, the meeting adjourned at Twelve O'clock. The next meeting would be held on 30th May, 2018 at 11.00am

SIGNATURE  DATE ... 

(CHAIRPERSON)

MINUTES OF THE 38TH SITTING OF THE SECTORAL COMMITTEE ON CULTURE AND COMMUNITY SERVICES HELD ON 2ND MAY, 2018 AT 11:00 AM AT CHARTER HALL, ROOM 4.

PRESENT

1. Hon. Mwangi Njihia, MCA - Chairman
2. Hon. Anthony N. Gatune, MCA - Vice Chairman
3. Hon. Patrick Karani, MCA
4. Hon. Nicholas Okumu, MCA
5. Hon. Jared Okoth Okode, MCA
6. Hon. Nancy Muthami, MCA
7. Hon. Mellab Atemah Lumalah, MCA
8. Hon. Leah Supuko, MCA
9. Hon. David .N. Mberia, MCA
10. Hon. Millicent Anyango, MCA
11. Hon. Annita Thumbi, MCA
12. Hon. Kennedy Odhiambo Oyugi, MCA
13. Hon. Anthony Karanja, MCA
14. Hon. Clarence Munga, MCA

ABSENT

1. Hon. John Kamau, MCA
2. Hon. Emapet Kemunto, MCA
3. Hon. Jairus Amukhoye Omayo, MCA
4. Hon. Joseph Wambugu, MCA
5. Hon. Benson Mwangi, MCA

SECRETARIAT

– COUNTY ASSEMBLY

1. Ms. Linet Bunei – Legal Clerk
2. Ms. Jolinda Wangui – Committee Clerk

Agenda

1. Preliminaries (prayers & adoption of the Agenda),
2. Confirmation of minutes of the 35th – 37th sittings
3. Consideration of the Nairobi City County Sports Management (Amendment) Bill, 2018.
3. Any Other Business
4. Adjournment

MIN. 109/NCCA/CCS/2/MAY/ 2018: PRELIMINARIES

The Chairman called the meeting to order at 11.05 noon and opened with a word of prayer. The day's agenda was adopted on proposal by the Hon. Patrick Karani and seconded by the Hon. Nancy Muthami.

MIN.110/NCCA/CCS/2/MAY/2018: CONFIRMATION OF MINUTES OF THE 35TH – 37TH SITTINGS

Minutes of the 35th sitting held on 17th April, 2018 at 11.00am were read by Hon. Mwangi .A. Njihia. Hon. Annita Thumbi proposed, Hon. Mellab Atemah Lumalah seconded, and the same were confirmed to be the true record of the proceedings.

Minutes of the 36th sitting held on 19th April, 2018 at 11.00am were read by Hon. Mwangi .A. Njihia. Hon. Leah Supuko proposed, Hon. Mellab Atemah Lumalah seconded, and the same were confirmed to be the true record of the proceedings.

Minutes of the 37th sitting held on 30th April, 2018 at 11.00am were read by Hon. Mwangi .A. Njihia. Hon. Jared O. Okode proposed, Hon. Mellab Atemah Lumalah seconded, and the same were confirmed to be the true record of the proceedings.

MIN.111/NCCA/CCS/2/MAY/2018: CONSIDERATION OF THE NAIROBI CITY COUNTY SPORTS MANAGEMENT (AMENDMENT) BILL, 2018.

The Legal Clerk briefed the Members through the amendment Bill as follows:-

Short title.

1. This Act may be cited as the Nairobi City County Sports Management (Amendment) Act, 2018. Amendment of section 2 of No. 6 of 2017.

Amendment of section 4 of No. 6 of 2017.

2. Section 2 of the Nairobi City County Sports Management Act, in this Act referred to as the "principal Act", is amended in the definition of the term "Sports Plan" by deleting the words "section 9" and substituting therefor the words "section 8".

3. The principal Act is amended in section 4 by deleting subsection 2 and substituting therefor the following new subsection-

"(2) The Committee shall consist of _

- (a) The Chairperson appointed by the Governor and shall be a person knowledgeable in sports;
- (b) The Chief Officer responsible for sports;
- (c) The Chief Officer responsible for finance;
- (d) The Chief Officer responsible for public works;
- (e) The County Attorney;
- (f) The County Director for sports who shall be the secretary;
- (g) Two other persons appointed by the Governor upon nomination by:-
- (i) The sports organization recognized as the county coordinating bodies for the promotion and development of high performance Olympic, Paralympic and Deaflympics sports in Nairobi; and
- (ii) The County Multi-sports organization that is responsible for the adherence to all the codes for sports and recreational bodies
- (h) Two other persons who have experience in the management of training academics, corporate sector or sports;
- (i) The members of the committee under sub-section (b) and (e) may attend the meetings of the committee in person or delegate a representative, in writing to attend on their behalf

The Members amended the amendments by including:-

CLAUSE 3

THAT, Clause 3 be amended by inserting a new paragraph immediately after paragraph (h) as follows:-

“(ha) in nominating the persons referred to in sub clause 2, the Governor shall take into consideration gender balance in the composition of the Committee.”

MIN.112/NCCA/CCS/2/MAY/2018: ADJOURNMENT AND DATE OF NEXT MEETING

There being no any other business of the day, the meeting adjourned at Twelve O'clock.
The next meeting would be held on 8th May, 2018 at 11.00am

SIGNATURE.....

DATE 15/5/2018.....

(CHAIRPERSON)

